

**2SHB 2674 - S AMD 238**

By Senator Keiser and Pflug

ADOPTED 03/06/2008

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 18.19.020 and 2001 c 251 s 18 are each amended to  
4 read as follows:

5 (~~Unless the context clearly requires otherwise,~~) The definitions  
6 in this section apply throughout this chapter unless the context  
7 clearly requires otherwise.

8 (1) "Agency" means an agency or facility operated, licensed, or  
9 certified by the state of Washington.

10 (2) "Agency affiliated counselor" means a person registered under  
11 this chapter who is engaged in counseling and employed by an agency.

12 (3) "Certified adviser" means a person certified under this chapter  
13 who is engaged in private practice counseling to the extent authorized  
14 in section 4 of this act.

15 (4) "Certified counselor" means a person certified under this  
16 chapter who is engaged in private practice counseling to the extent  
17 authorized in section 4 of this act.

18 (5) "Client" means an individual who receives or participates in  
19 counseling or group counseling.

20 ((+2)) (6) "Counseling" means employing any therapeutic  
21 techniques, including but not limited to social work, mental health  
22 counseling, marriage and family therapy, and hypnotherapy, for a fee  
23 that offer, assist or attempt to assist an individual or individuals in  
24 the amelioration or adjustment of mental, emotional, or behavioral  
25 problems, and includes therapeutic techniques to achieve sensitivity  
26 and awareness of self and others and the development of human  
27 potential. For the purposes of this chapter, nothing may be construed  
28 to imply that the practice of hypnotherapy is necessarily limited to  
29 counseling.

1 ((+3)) (7) "Counselor" means an individual, practitioner,  
2 therapist, or analyst who engages in the practice of counseling to the  
3 public for a fee, including for the purposes of this chapter,  
4 hypnotherapists.

5 ((+4)) (8) "Department" means the department of health.

6 ((+5)) (9) "Hypnotherapist" means a person registered under this  
7 chapter who is practicing hypnosis as a modality.

8 (10) "Private practice counseling" means the practice of counseling  
9 by a certified counselor or certified adviser as specified in section  
10 4 of this act.

11 (11) "Psychotherapy" means the practice of counseling using  
12 diagnosis of mental disorders according to the fourth edition of the  
13 diagnostic and statistical manual of mental disorders, published in  
14 1994, and the development of treatment plans for counseling based on  
15 diagnosis of mental disorders in accordance with established practice  
16 standards.

17 (12) "Secretary" means the secretary of the department or the  
18 secretary's designee.

19 **Sec. 2.** RCW 18.19.030 and 2001 c 251 s 19 are each amended to read  
20 as follows:

21 ((No)) A person may not, ((for a fee or)) as a part of his or her  
22 position as an employee of a state agency, practice counseling without  
23 being registered to practice as an agency affiliated counselor by the  
24 department under this chapter unless exempt under RCW 18.19.040.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.19 RCW  
26 to read as follows:

27 A person may not, for a fee or as a part of his or her position as  
28 an employee of a state agency, practice hypnotherapy without being  
29 registered to practice as a hypnotherapist by the department under this  
30 chapter unless exempt under RCW 18.19.040.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.19 RCW  
32 to read as follows:

33 The scope of practice of certified counselors and certified  
34 advisers consists exclusively of the following:

1 (1) Appropriate screening of the client's level of functional  
2 impairment using the global assessment of functioning as described in  
3 the fourth edition of the diagnostic and statistical manual of mental  
4 disorders, published in 1994. Recognition of a mental or physical  
5 disorder or a global assessment of functioning score of sixty or less  
6 requires that the certified counselor or certified adviser refer the  
7 client to a physician, osteopathic physician, psychiatric registered  
8 nurse practitioner, or licensed mental health practitioner, as defined  
9 by the secretary, for diagnosis and treatment;

10 (2) Certified counselors and certified advisers may counsel and  
11 guide a client in adjusting to life situations, developing new skills,  
12 and making desired changes, in accordance with the theories and  
13 techniques of a specific counseling method and established practice  
14 standards, if the client has a global assessment of functioning score  
15 greater than sixty;

16 (3) Certified counselors may counsel and guide a client in  
17 adjusting to life situations, developing new skills, and making desired  
18 changes if the client has a global assessment of functioning score of  
19 sixty or less if:

20 (a) The client has been referred to the certified counselor by a  
21 physician, osteopathic physician, psychiatric registered nurse  
22 practitioner, or licensed mental health practitioner, as defined by the  
23 secretary, and care is provided as part of a plan of treatment  
24 developed by the referring practitioner who is actively treating the  
25 client. The certified counselor must adhere to any conditions related  
26 to the certified counselor's role as specified in the plan of care; or

27 (b) The certified counselor referred the client to seek diagnosis  
28 and treatment from a physician, osteopathic physician, psychiatric  
29 registered nurse practitioner, or licensed mental health practitioner,  
30 as defined by the secretary, and the client refused, in writing, to  
31 seek treatment from the other provider. The certified counselor may  
32 provide services to the client consistent with a treatment plan  
33 developed by the certified counselor and the consultant or supervisor  
34 with whom the certified counselor has a written consultation or  
35 supervisory agreement. A certified counselor shall not be a sole  
36 treatment provider for a client with a global assessment of functioning  
37 score of less than fifty.

1       **Sec. 5.** RCW 18.19.040 and 2001 c 251 s 20 are each amended to read  
2 as follows:

3       Nothing in this chapter may be construed to prohibit or restrict:

4       (1) The practice of a profession by a person who is either  
5 registered, certified, licensed, or similarly regulated under the laws  
6 of this state and who is performing services within the person's  
7 authorized scope of practice, including any attorney admitted to  
8 practice law in this state when providing counseling incidental to and  
9 in the course of providing legal counsel;

10       (2) The practice of counseling by an employee or trainee of any  
11 federal agency, or the practice of counseling by a student of a college  
12 or university, if the employee, trainee, or student is practicing  
13 solely under the supervision of and accountable to the agency, college,  
14 or university, through which he or she performs such functions as part  
15 of his or her position for no additional fee other than ordinary  
16 compensation;

17       (3) The practice of counseling by a person (~~((without a mandatory~~  
18 ~~charge))~~ for no compensation);

19       (4) The practice of counseling by persons offering services for  
20 public and private nonprofit organizations or charities not primarily  
21 engaged in counseling for a fee when approved by the organizations or  
22 agencies for whom they render their services;

23       (5) Evaluation, consultation, planning, policy-making, research, or  
24 related services conducted by social scientists for private  
25 corporations or public agencies;

26       (6) The practice of counseling by a person under the auspices of a  
27 religious denomination, church, or organization, or the practice of  
28 religion itself;

29       (7) The practice of counseling by peer counselors who use their own  
30 experience to encourage and support people with similar conditions or  
31 activities related to the training of peer counselors; and

32       (8) Counselors (~~((whose residency is not))~~) who reside outside  
33 Washington state from providing up to ten days per quarter of training  
34 or workshops in the state, as long as they (~~((don't))~~) do not hold  
35 themselves out to be registered or certified in Washington state.

36       **Sec. 6.** RCW 18.19.050 and 2001 c 251 s 21 are each amended to read  
37 as follows:

1 (1) In addition to any other authority provided by law, the  
2 secretary has the following authority:

3 (a) To adopt rules, in accordance with chapter 34.05 RCW, necessary  
4 to implement this chapter;

5 (b) To set all registration, certification, and renewal fees in  
6 accordance with RCW 43.70.250 and to collect and deposit all such fees  
7 in the health professions account established under RCW 43.70.320;

8 (c) To establish forms and procedures necessary to administer this  
9 chapter;

10 (d) To hire clerical, administrative, and investigative staff as  
11 needed to implement this chapter;

12 (e) To issue a registration or certification to any applicant who  
13 has met the requirements for registration or certification; and

14 (f) To ~~((develop a dictionary of recognized professions and  
15 occupations providing counseling services to the public included under  
16 this chapter))~~ establish education equivalency, examination,  
17 supervisory, consultation, and continuing education requirements for  
18 certified counselors and certified advisers.

19 (2) The uniform disciplinary act, chapter 18.130 RCW, governs the  
20 issuance and denial of registrations and certifications and the  
21 discipline of registrants under this chapter. The secretary shall be  
22 the disciplining authority under this chapter. ~~((The absence of  
23 educational or training requirements for counselors registered under  
24 this chapter or the counselor's use of nontraditional nonabusive  
25 therapeutic techniques shall not, in and of itself, give the secretary  
26 authority to unilaterally determine the training and competence or to  
27 define or restrict the scope of practice of such individuals.))~~

28 (3) The department shall publish and disseminate information ~~((in  
29 order))~~ to educate the public about the responsibilities of counselors,  
30 the types of counselors, and the rights and responsibilities of clients  
31 established under this chapter. ~~((Solely for the purposes of  
32 administering this education requirement,))~~ The secretary ~~((shall))~~ may  
33 assess an additional fee for each application and renewal ~~((, equal to  
34 five percent of the fee. The revenue collected from the assessment fee  
35 may be appropriated by the legislature for the department's use in  
36 educating consumers pursuant to this section. The authority to charge  
37 the assessment fee shall terminate on June 30, 1994))~~ to fund public  
38 education efforts under this section.

1       **Sec. 7.** RCW 18.19.060 and 2001 c 251 s 22 are each amended to read  
2 as follows:

3       (~~Persons registered under this chapter~~) Certified counselors and  
4 certified advisers shall provide clients at the commencement of any  
5 program of treatment with accurate disclosure information concerning  
6 their practice, in accordance with guidelines developed by the  
7 department, that will inform clients of the purposes of and resources  
8 available under this chapter, including the right of clients to refuse  
9 treatment, the responsibility of clients for choosing the provider and  
10 treatment modality which best suits their needs, and the extent of  
11 confidentiality provided by this chapter, the department, another  
12 agency, or other jurisdiction. The disclosure statement must inform  
13 the client of the certified counselor's or certified adviser's  
14 consultation arrangement or supervisory agreement as defined in rules  
15 adopted by the secretary. The disclosure information provided by the  
16 certified counselor or certified adviser, the receipt of which shall be  
17 acknowledged in writing by the certified counselor or certified adviser  
18 and the client, shall include any relevant education and training, the  
19 therapeutic orientation of the practice, the proposed course of  
20 treatment where known, any financial requirements, referral resources,  
21 and such other information as the department may require by rule. The  
22 disclosure information shall also include a statement that  
23 (~~registration~~) the certification of an individual under this chapter  
24 does not include a recognition of any practice standards, nor  
25 necessarily imply the effectiveness of any treatment. Certified  
26 counselors and certified advisers must also disclose that they are not  
27 credentialed to diagnose mental disorders or to conduct psychotherapy  
28 as defined by the secretary by rule. The client is not liable for any  
29 fees or charges for services rendered prior to receipt of the  
30 disclosure statement.

31       **Sec. 8.** RCW 18.19.090 and 1991 c 3 s 24 are each amended to read  
32 as follows:

33       (~~The secretary shall issue a registration to any applicant who~~  
34 ~~submits, on forms provided by the secretary, the applicant's name,~~  
35 ~~address, occupational title, name and location of business, and other~~  
36 ~~information as determined by the secretary, including information~~  
37 ~~necessary to determine whether there are grounds for denial of~~

1 ~~registration or issuance of a conditional registration under this~~  
2 ~~chapter or chapter 18.130 RCW. Applicants for registration shall~~  
3 ~~register as counselors or may register as hypnotherapists if employing~~  
4 ~~hypnosis as a modality. Applicants shall, in addition, provide in~~  
5 ~~their titles a description of their therapeutic orientation,~~  
6 ~~discipline, theory, or technique.))~~ (1) Application for agency  
7 affiliated counselor, certified counselor, certified adviser, or  
8 hypnotherapist must be made on forms approved by the secretary. The  
9 secretary may require information necessary to determine whether  
10 applicants meet the qualifications for the credential and whether there  
11 are any grounds for denial of the credential, or for issuance of a  
12 conditional credential, under this chapter or chapter 18.130 RCW. The  
13 application for agency affiliated counselor, certified counselor, or  
14 certified adviser must include a description of the applicant's  
15 orientation, discipline, theory, or technique. Each applicant shall  
16 pay a fee determined by the secretary as provided in RCW 43.70.250,  
17 which shall accompany the application.

18 (2) Applicants for agency affiliated counselor must provide  
19 satisfactory documentation that they are employed by an agency or have  
20 an offer of employment from an agency.

21 (3) At the time of application for initial certification,  
22 applicants for certified counselor prior to July 1, 2010, are required  
23 to:

24 (a) Have been registered for no less than five years at the time of  
25 application for an initial certification;

26 (b) Have held a valid, active registration that is in good standing  
27 and be in compliance with any disciplinary process and orders at the  
28 time of application for an initial certification;

29 (c) Show evidence of having completed course work in risk  
30 assessment, ethics, appropriate screening and referral, and Washington  
31 state law and other subjects identified by the secretary;

32 (d) Pass an examination in risk assessment, ethics, appropriate  
33 screening and referral, and Washington state law, and other subjects as  
34 determined by the secretary; and

35 (e) Have a written consultation agreement with a credential holder  
36 who meets the qualifications established by the secretary.

37 (4) Unless eligible for certification under subsection (3) of this

1 section, applicants for certified counselor or certified adviser are  
2 required to:

3 (a)(i) Have a bachelor's degree in a counseling-related field, if  
4 applying for certified counselor; or

5 (ii) Have an associate degree in a counseling-related field and a  
6 supervised internship, if applying for certified adviser;

7 (b) Pass an examination in risk assessment, ethics, appropriate  
8 screening and referral, and Washington state law, and other subjects as  
9 determined by the secretary; and

10 (c) Have a written supervisory agreement with a supervisor who  
11 meets the qualifications established by the secretary.

12 (5) Each applicant shall include payment of the fee determined by  
13 the secretary as provided in RCW 43.70.250.

14 NEW SECTION. Sec. 9. A new section is added to chapter 18.19 RCW  
15 to read as follows:

16 Agency affiliated counselors shall notify the department if they  
17 are either no longer employed by the agency identified on their  
18 application or are now employed with another agency, or both. Agency  
19 affiliated counselors may not engage in the practice of counseling  
20 unless they are currently affiliated with an agency.

21 **Sec. 10.** RCW 18.19.100 and 1996 c 191 s 5 are each amended to read  
22 as follows:

23 The secretary shall establish administrative procedures,  
24 administrative requirements, continuing education, and fees for renewal  
25 of (~~registrations~~) credentials as provided in RCW 43.70.250 and  
26 43.70.280. When establishing continuing education requirements for  
27 agency affiliated counselors, the secretary shall consult with the  
28 appropriate state agency director responsible for licensing,  
29 certifying, or operating the relevant agency practice setting.

30 **Sec. 11.** RCW 18.225.010 and 2001 c 251 s 1 are each amended to  
31 read as follows:

32 (~~Unless the context clearly requires otherwise,~~) The definitions  
33 in this section apply throughout this chapter unless the context  
34 clearly requires otherwise.

1 (1) "Advanced social work" means the application of social work  
2 theory and methods including emotional and biopsychosocial assessment,  
3 psychotherapy under the supervision of a licensed independent clinical  
4 social worker, case management, consultation, advocacy, counseling, and  
5 community organization.

6 (2) "Applicant" means a person who completes the required  
7 application, pays the required fee, is at least eighteen years of age,  
8 and meets any background check requirements and uniform disciplinary  
9 act requirements.

10 (3) "Associate" means a prelicensure candidate who has a graduate  
11 degree in a mental health field under RCW 18.225.090 and is gaining the  
12 supervision and supervised experience necessary to become a licensed  
13 independent clinical social worker, a licensed advanced social worker,  
14 a licensed mental health counselor, or a licensed marriage and family  
15 therapist.

16 (4) "Committee" means the Washington state mental health  
17 counselors, marriage and family therapists, and social workers advisory  
18 committee.

19 ~~((4))~~ (5) "Department" means the department of health.

20 ~~((5))~~ (6) "Disciplining authority" means the department.

21 ~~((6))~~ (7) "Independent clinical social work" means the diagnosis  
22 and treatment of emotional and mental disorders based on knowledge of  
23 human development, the causation and treatment of psychopathology,  
24 psychotherapeutic treatment practices, and social work practice as  
25 defined in advanced social work. Treatment modalities include but are  
26 not limited to diagnosis and treatment of individuals, couples,  
27 families, groups, or organizations.

28 ~~((7))~~ (8) "Marriage and family therapy" means the diagnosis and  
29 treatment of mental and emotional disorders, whether cognitive,  
30 affective, or behavioral, within the context of relationships,  
31 including marriage and family systems. Marriage and family therapy  
32 involves the professional application of psychotherapeutic and family  
33 systems theories and techniques in the delivery of services to  
34 individuals, couples, and families for the purpose of treating such  
35 diagnosed nervous and mental disorders. The practice of marriage and  
36 family therapy means the rendering of professional marriage and family  
37 therapy services to individuals, couples, and families, singly or in

1 groups, whether such services are offered directly to the general  
2 public or through organizations, either public or private, for a fee,  
3 monetary or otherwise.

4 ~~((+8))~~ (9) "Mental health counseling" means the application of  
5 principles of human development, learning theory, psychotherapy, group  
6 dynamics, and etiology of mental illness and dysfunctional behavior to  
7 individuals, couples, families, groups, and organizations, for the  
8 purpose of treatment of mental disorders and promoting optimal mental  
9 health and functionality. Mental health counseling also includes, but  
10 is not limited to, the assessment, diagnosis, and treatment of mental  
11 and emotional disorders, as well as the application of a wellness model  
12 of mental health.

13 ~~((+9))~~ (10) "Secretary" means the secretary of health or the  
14 secretary's designee.

15 **Sec. 12.** RCW 18.225.020 and 2001 c 251 s 2 are each amended to  
16 read as follows:

17 A person must not represent himself or herself as a licensed  
18 advanced social worker, a licensed independent clinical social worker,  
19 a licensed mental health counselor, ~~((+))~~ a licensed marriage and  
20 family therapist, a licensed social work associate--advanced, a  
21 licensed social work associate--independent clinical, a licensed mental  
22 health counselor associate, or a licensed marriage and family therapist  
23 associate, without being licensed by the department.

24 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.225  
25 RCW to read as follows:

26 (1) The secretary shall issue an associate license to any applicant  
27 who demonstrates to the satisfaction of the secretary that the  
28 applicant meets the following requirements for the applicant's practice  
29 area and submits a declaration that the applicant is working toward  
30 full licensure in that category:

31 (a) Licensed social worker associate--advanced or licensed social  
32 worker associate--independent clinical: Graduation from a master's  
33 degree or doctoral degree educational program in social work accredited  
34 by the council on social work education and approved by the secretary  
35 based upon nationally recognized standards.

1 (b) Licensed mental health counselor associate: Graduation from a  
2 master's degree or doctoral degree educational program in mental health  
3 counseling or a related discipline from a college or university  
4 approved by the secretary based upon nationally recognized standards.

5 (c) Licensed marriage and family therapist associate: Graduation  
6 from a master's degree or doctoral degree educational program in  
7 marriage and family therapy or graduation from an educational program  
8 in an allied field equivalent to a master's degree or doctoral degree  
9 in marriage and family therapy approved by the secretary based upon  
10 nationally recognized standards.

11 (2) Associates may not provide independent social work, mental  
12 health counseling, or marriage and family therapy for a fee, monetary  
13 or otherwise. Associates must work under the supervision of an  
14 approved supervisor.

15 (3) Associates shall provide each client or patient, during the  
16 first professional contact, with a disclosure form according to RCW  
17 18.225.100, disclosing that he or she is an associate under the  
18 supervision of an approved supervisor.

19 (4) The department shall adopt by rule what constitutes adequate  
20 proof of compliance with the requirements of this section.

21 (5) Applicants are subject to the denial of a license or issuance  
22 of a conditional license for the reasons set forth in chapter 18.130  
23 RCW.

24 (6) An associate license may be renewed no more than four times.

25 **Sec. 14.** RCW 18.225.150 and 2001 c 251 s 15 are each amended to  
26 read as follows:

27 The secretary shall establish by rule the procedural requirements  
28 and fees for renewal of a license or associate license. Failure to  
29 renew shall invalidate the license or associate license and all  
30 privileges granted by the license. If an associate license has lapsed,  
31 the person shall submit an updated declaration, in accordance with  
32 rules adopted by the department, that the person is working toward full  
33 licensure. If a license has lapsed for a period longer than three  
34 years, the person shall demonstrate competence to the satisfaction of  
35 the secretary by taking continuing education courses, or meeting other  
36 standards determined by the secretary. If an associate license has

1 lapsed, the person shall submit an updated declaration, in accordance  
2 with rules adopted by the department, that the person is working toward  
3 full licensure.

4 **Sec. 15.** RCW 18.205.020 and 1998 c 243 s 2 are each amended to  
5 read as follows:

6 ~~((Unless the context clearly requires otherwise,))~~ The definitions  
7 in this section apply throughout this chapter unless the context  
8 clearly requires otherwise.

9 (1) "Certification" means a voluntary process recognizing an  
10 individual who qualifies by examination and meets established  
11 educational prerequisites, and which protects the title of practice.

12 (2) "Certified chemical dependency professional" means an  
13 individual certified in chemical dependency counseling, under this  
14 chapter.

15 (3) "Certified chemical dependency professional trainee" means an  
16 individual working toward the education and experience requirements for  
17 certification as a chemical dependency professional.

18 (4) "Chemical dependency counseling" means employing the core  
19 competencies of chemical dependency counseling to assist or attempt to  
20 assist an alcohol or drug addicted person to develop and maintain  
21 abstinence from alcohol and other mood-altering drugs.

22 ~~((+4))~~ (5) "Committee" means the chemical dependency certification  
23 advisory committee established under this chapter.

24 ~~((+5))~~ (6) "Core competencies of chemical dependency counseling"  
25 means competency in the nationally recognized knowledge, skills, and  
26 attitudes of professional practice, including assessment and diagnosis  
27 of chemical dependency, chemical dependency treatment planning and  
28 referral, patient and family education in the disease of chemical  
29 dependency, individual and group counseling with alcoholic and drug  
30 addicted individuals, relapse prevention counseling, and case  
31 management, all oriented to assist alcoholic and drug addicted patients  
32 to achieve and maintain abstinence from mood-altering substances and  
33 develop independent support systems.

34 ~~((+6))~~ (7) "Department" means the department of health.

35 ~~((+7))~~ (8) "Health profession" means a profession providing health  
36 services regulated under the laws of this state.

1       (~~(8)~~) (9) "Secretary" means the secretary of health or the  
2 secretary's designee.

3       **Sec. 16.** RCW 18.205.030 and 2000 c 171 s 41 are each amended to  
4 read as follows:

5       No person may represent oneself as a certified chemical dependency  
6 professional or certified chemical dependency professional trainee or  
7 use any title or description of services of a certified chemical  
8 dependency professional or certified chemical dependency professional  
9 trainee without applying for certification, meeting the required  
10 qualifications, and being certified by the department of health, unless  
11 otherwise exempted by this chapter.

12       **Sec. 17.** RCW 18.205.040 and 1998 c 243 s 4 are each amended to  
13 read as follows:

14       Nothing in this chapter shall be construed to authorize the use of  
15 the title "certified chemical dependency professional" or "certified  
16 chemical dependency professional trainee" when treating patients in  
17 settings other than programs approved under chapter 70.96A RCW.

18       NEW SECTION. **Sec. 18.** A new section is added to chapter 18.205  
19 RCW to read as follows:

20       (1) The secretary shall issue a trainee certificate to any  
21 applicant who demonstrates to the satisfaction of the secretary that he  
22 or she is working toward the education and experience requirements in  
23 RCW 18.205.090.

24       (2) A trainee certified under this section shall submit to the  
25 secretary for approval a declaration, in accordance with rules adopted  
26 by the department, that he or she is enrolled in an approved education  
27 program and actively pursuing the experience requirements in RCW  
28 18.205.090. This declaration must be updated with the trainee's annual  
29 renewal.

30       (3) A trainee certified under this section may practice only under  
31 the supervision of a certified chemical dependency professional. The  
32 first fifty hours of any face-to-face client contact must be under  
33 direct observation. All remaining experience must be under supervision  
34 in accordance with rules adopted by the department.

1 (4) A certified chemical dependency professional trainee provides  
2 chemical dependency assessments, counseling, and case management with  
3 a state regulated agency and can provide clinical services to patients  
4 consistent with his or her education, training, and experience as  
5 approved by his or her supervisor.

6 (5) A trainee certification may only be renewed four times.

7 (6) Applicants are subject to denial of a certificate or issuance  
8 of a conditional certificate for the reasons set forth in chapter  
9 18.130 RCW.

10 NEW SECTION. **Sec. 19.** A new section is added to chapter 18.19 RCW  
11 to read as follows:

12 The Washington state certified counselors and hypnotherapist  
13 advisory committee is established.

14 (1) The committee is comprised of seven members. Two committee  
15 members must be certified counselors or certified advisers. Two  
16 committee members must be hypnotherapists. Three committee members  
17 must be consumers and represent the public at large and may not hold  
18 any mental health care provider license, certification, or  
19 registration.

20 (2) Two committee members must be appointed for a term of one year,  
21 two committee members must be appointed for a term of two years, and  
22 three committee members must be appointed for a term of three years.  
23 Subsequent committee members must be appointed for terms of three  
24 years. A person may not serve as a committee member for more than two  
25 consecutive terms.

26 (3)(a) Each committee member must be a resident of the state of  
27 Washington.

28 (b) A committee member may not hold an office in a professional  
29 association for their profession.

30 (c) Advisory committee members may not be employed by the state of  
31 Washington.

32 (d) Each professional committee member must have been actively  
33 engaged in their profession for five years immediately preceding  
34 appointment.

35 (e) The consumer committee members must represent the general  
36 public and be unaffiliated directly or indirectly with the professions  
37 credentialed under this chapter.

1 (4) The secretary shall appoint the committee members.

2 (5) Committee members are immune from suit in an action, civil or  
3 criminal, based on the department's disciplinary proceedings or other  
4 official acts performed in good faith.

5 (6) Committee members must be compensated in accordance with RCW  
6 43.03.240, including travel expenses in carrying out his or her  
7 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

8 (7) The committee shall elect a chair and vice-chair.

9 NEW SECTION. **Sec. 20.** To practice counseling, all registered  
10 counselors must obtain another health profession credential by July 1,  
11 2010. The registered counselor credential is abolished July 1, 2010.

12 NEW SECTION. **Sec. 21.** Sections 1, 2, 7 through 9, and 11 through  
13 19 of this act take effect July 1, 2009.

14 NEW SECTION. **Sec. 22.** The department of health may not issue any  
15 new registered counselor credentials after July 1, 2009.

16 NEW SECTION. **Sec. 23.** (1) The department of health shall report  
17 to the legislature and the governor by December 15, 2011, on:

18 (a) The number of registered counselors who become certified  
19 counselors or certified advisers;

20 (b) The number, status, type, and outcome of disciplinary actions  
21 involving certified counselors and certified advisers beginning on the  
22 effective date of this section; and

23 (c) The state of education equivalency, examination, supervisory,  
24 consultation, and continuing education requirements established under  
25 this act.

26 (2) The department of health shall also report on cost savings or  
27 expenditures to administer the provisions of this act and make  
28 recommendations regarding future reports or evaluations.

29 NEW SECTION. **Sec. 24.** If specific funding for the purposes of  
30 this act, referencing this act by bill or chapter number, is not  
31 provided by June 30, 2008, in the omnibus appropriations act, this act  
32 is null and void."

**ADOPTED 03/06/2008**

1        On page 1, line 2 of the title, after "counselors;" strike the  
2 remainder of the title and insert "amending RCW 18.19.020, 18.19.030,  
3 18.19.040, 18.19.050, 18.19.060, 18.19.090, 18.19.100, 18.225.010,  
4 18.225.020, 18.225.150, 18.205.020, 18.205.030, and 18.205.040; adding  
5 new sections to chapter 18.19 RCW; adding a new section to chapter  
6 18.225 RCW; adding a new section to chapter 18.205 RCW; creating new  
7 sections; and providing an effective date."

--- END ---